

August 4, 2008

VIA ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: Ex Parte Notification - WT Docket No. 05-265

Dear Ms. Dortch:

On August 1, 2008, on behalf of SpectrumCo LLC, David Don and I met with Wayne Leighton, Special Advisor to Commissioner Deborah Tate, to discuss SpectrumCo's petition for reconsideration in the above-captioned proceeding. SpectrumCo's immediate concern involves the home market roaming limitation introduced in the Commission's August, 2007, order.

SpectrumCo's petition for reconsideration of October 1, 2007, sets forth the reasons that the home roaming limitation on common carrier automatic roaming obligations should be eliminated. It creates a significant barrier to entry for new licensees and it is unnecessary. SpectrumCo continues to believe that the Commission could eliminate the proviso without any damage to licensee incentives to construct facilities. However, to the extent that the Commission holds to the view that a connection between roaming and facilities construction should be maintained, it offers this approach:

Licensees shall be entitled to home market roaming during the initial license term or seven years from the effective date of the order, whichever is later. At the conclusion of the right to home market roaming, a carrier may petition the FCC to discontinue roaming service within its roaming customer's home market. The FCC will decide whether to authorize the discontinuance on the basis of the public interest as articulated in Sections 151 and 332(a)

Most importantly, this approach affords critically important automatic home roaming rights to both new licensees and, for a reasonable period, existing licensees that are in the process of expanding their

August 4, 2008

Page 2

networks. It also maintains a regulatory compulsion to build out licensed areas by holding open the possibility that roaming rights will be curtailed in the event that a licensee has failed to make adequate use of its licensed spectrum. It makes the default the continuation of roaming rights. A different way of saying this is that it makes the default the continuation of service to subscribers accustomed to receiving it. However, it provides the Commission, on application from a host carrier, the opportunity to curtail home roaming rights in the event that it concludes that a carrier has failed adequately to meet its public interest obligations as Congress has described them in Sections 151 and 332(a) of the Communications Act.

Respectfully submitted,

/s/

Philip L. Verveer

cc: Wayne Leighton